

DATE: May 15, 1987

TO: Division Staff

THROUGH: Eric H. Bartsch, P.E., Director  
Division of Water Programs

FROM: Allen R. Hammer, P.E., Director  
Bureau of Water Supply Engineering

SUBJECT: Water - Procedure - Enforcement

Please replace pages 3-6 in the enforcement working memorandum #453 with the enclosed page.

The change is in the last sentence of Section 21.02.07(b) (Page 6) and is a result of an amendment to Section 32.1-175.1 of the 1950 Code of Virginia as amended by the 1987 Session of the General Assembly. The amendment requires that the chief administrative officer of the city or county government be notified whenever a notice of violation of any provision of the Virginia Waterworks Regulations is sent to the owner of a waterworks. In addition, although not a requirement in the above mentioned amendment, the local health director is to be notified.

EHM/edc

Enclosure

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21.01.05 TURBIDITY VIOLATIONS

The monthly operation reports and MSIS preprinted Summary Turbidity form for all surface water source systems will be reviewed by the District Engineer for compliance with the turbidity PMCL. Violations and public notifications will be handled in the basic format used for the bacteriological PMCL. Daily samples (averages) are required. A nephelometer must be used to measure turbidity. (See Section 4.00 of the Waterworks Regulations for the turbidity PMCL.)

21.02.06 CONFIRMATION OF VIOLATION

An incorrect assessment of violation causes everyone time and trouble. It is well worth the time to double check all violations. For a violation involving a failure to collect the proper number of samples, the District Engineer will insure that the owner is contacted to confirm that all samples collected have been correctly reported.

All systems routinely collecting well or source samples instead of distribution samples will be contacted immediately to inform them of the need to take their required samples from their distribution system. No source samples should be submitted unless a special study is being conducted.

21.02.07 DRAFTING THE PUBLIC NOTICES

- a. Draft public notices that can be used by the owner will be prepared by the District Engineer or Assistant District Engineer using the attached examples as guides (Appendix 21C-21I). The draft public notices will be discussed with the Regional Director and field investigations scheduled when necessary. The draft public notice will be discussed and reviewed with the waterworks owner, either by phone or in person, as the situation dictates.
- b. The notice of violation(Appendix 21J) is a letter signed by the District Engineer that will be sent to the waterworks owner informing him of his violation, explaining the public notification requirement, and attaching a copy of the agreed-upon public notice. Copies of the letter and notice shall go to the Local Health Director and the local city/county chief administrator officer of the governing body.
- c. The owner must notify the Regional Office of his completion of public notification requirements (reference Appendix 21K).